

Application: 20211584

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND
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To: **Mrs Gilbert
C/O Mr Mark Burrell, The Raven Group
Brunel House
Railway Sidings
Meopham Gravesend
DA13 0LT
United Kingdom**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED PERMISSION** for development of land situate at:

**The Oast House
Dean Lane
Harvel
Gravesend
Kent
DA13 0BS**

and being **Application for removal of condition (ii) attached to planning permission reference no.19780873 (GR/78/873) for the erection of detached double garage, to allow conversion of garage to form habitable rooms.** Your application dated 11th April 2022 is permitted subject to the following:-

1. The development hereby approved shall be begun not later than 3 years following the date of this decision.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following schedule of approved plans:

Application Form for removal or variation of condition;
Proposed side elevations dated 24 November 2022 (with scale bar);
Proposed front elevation dated 24 November 2022 (with scale bar);
Proposed first floor layout Rev. II dated 24 November 2022;
Proposed rear elevation dated 24 November 2022 (with scale bar);
Proposed ground floor layout Rev. I dated 16 November 2022;
Proposed Section A-A dated 16 November 2022;
Proposed Block Plan/Parking Layout dated 27 August 2022;
Existing elevations and roof plan dated 18 January 2022;
Existing block plan Rev. A dated 21 February 2023;
Heritage Statement;
4 Photos of the Site; and

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The garage/store building, hereby permitted as an annexe, shall be occupied by persons related to a resident of the main dwellinghouse only at any time and shall be used in a manner in conjunction with the original dwellinghouse at The Oast House, Dean Lane, as a (combined) single planning unit. The annex shall not be used, let or sold at any time as a self contained, separate unit of living accommodation and no business, commercial or industrial use shall be carried out.

Reason: A separate unit of accommodation would be inappropriate on this site and in accordance with Policies CS02 and CS19 of the Gravesham Local Plan Core Strategy (2014).

4. Notwithstanding the details shown in the approved drawings, details and samples of all materials and finishes to be used in the external faces of the building (bricks, tiles, weatherboarding and rainwater goods) shall be submitted for the approval of the Local Planning Authority within one month of the commencement of the development hereby permitted. The development shall be carried out in complete accordance with the approved details before the development hereby permitted is first occupied.

Reason: To ensure a satisfactory visually attractive development which preserves and enhances the Conservation Area in accordance with Saved Policy TC3 of the Gravesham Local Plan First Review (1994) and Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014).

5. Notwithstanding the details shown in the approved drawings, details and drawings of all new joinery for windows and doors including detail of the conservation roof lights shall be submitted for the approval of the Local Planning Authority within one month of the commencement of the development hereby permitted. The development shall be carried out in complete accordance with the approved details before the development hereby permitted is first occupied

Reason: In the interests of visual amenity, the wider street scene and the Harvel conservation area and pursuant to Gravesham Local Plan Core Strategy Policies CS19: Development and Design Principles and CS20: Heritage and the Historic Environment, as well as saved Policies TC2 and TC3 of the Gravesham Local Plan First Review 1994 and the national planning guidance in the NPPF.

6. The existing first floor window in the rear elevation of the garage/store building shall be bricked up prior to its first use as a residential annex and notwithstanding the provisions of Article 3, and Part 1 Class A of Schedule 2 to the Town and Country Planning (General Permitted Development)(England) Order 2015, as amended, or any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order, with or without modification, no window, door or other form of opening (other than as hereby permitted) shall be formed in the building.

Reason: In order to safeguard the amenity and privacy of the occupants of the neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

7. Notwithstanding the provisions of Article 3 of and Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) (England) Order 2015, as amended, (or in any provision equivalent to that class in any order replacing, revoking or re-enacting that order, with or without modification) no enlargement improvement or other alteration of the garage/store building, other than as hereby permitted, shall be

carried out unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason: In order that any subsequent alteration of the building may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits having regard to Policies CS02: Scale and Distribution of Development, CS19: Development and Design Principles and CS20: Heritage and the Historic Environment, of the Gravesham Local Plan Core Strategy 2014 and the National Planning Policy (NPPF) Framework 2021.

8. Notwithstanding the provisions of Article 3 of and Part 1 Class E of Schedule 2 to the Town and Country (General Permitted Development) (England) Order 2015, as amended, (or in any provision equivalent to that class in any order replacing, revoking or re-enacting that order, with or without modification) no additional building or enclosure for a purpose incidental to the enjoyment of the dwellinghouse shall be provided within the overall dwelling curtilage unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason: In order that any further building or enclosure for a purpose incidental to the enjoyment of the dwellinghouse may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits having regard to Policies CS02: Scale and Distribution of Development, CS19: Development and Design Principles and CS20: Heritage and the Historic Environment, of the Gravesham Local Plan Core Strategy 2014 and the National Planning Policy (NPPF) Framework 2021.

9. Notwithstanding the provisions of Article 3 of and Class A of Part 14 of Schedule 2 to the Town and Country (General Permitted Development) (England) Order 2015, as amended, (or in any provision equivalent to that Class in any order revoking or re-enacting that order with or without modification) no solar PV or solar thermal equipment shall be installed on the garage/store building unless the specific grant of permission has been given by the Local Planning Authority.

Reason: In order that any such development of the building is the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits having regard to Policies CS19: Development and Design Principles and CS20: Heritage and the Historic Environment, of the Gravesham Local Plan Core Strategy 2014.

10. Notwithstanding the provisions of Article 3 of and Class A of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, (or any provision equivalent to that Class in any Order replacing, revoking or re-enacting that Order, with or without modification) no gate, fence or other means of enclosure shall be erected or constructed within the overall dwelling curtilage which would have the effect of subdividing the existing residential curtilage.

Reason: To safeguard against subdivision of the existing single residential curtilage that would facilitate independent occupation of the ancillary residential accommodation, as a separate unit of accommodation, which would be inappropriate on this site and contrary to Policies CS02 and CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy 2014 and the National Planning Policy Framework (NPPF) 2021.

11. The parking spaces and driveway shown on the approved proposed block plan/parking layout drawing (dated 27 August 2022) shall be formed before the development hereby permitted is first brought into use and thereafter kept available at all times for such use, and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or any provision equivalent to that Order in any statutory instrument revoking and re-enacting that Order, with or without modification, shall be carried out on the site in such a manner or in such a position so as to preclude their use for vehicle parking and manoeuvring.

Reason: To ensure adequate parking provision at the application site, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy P3 of the Gravesham Local Plan First Review 1994.

12. The cycle parking facilities as hereby permitted and which shall be secure and weatherproof, shall be implemented and made available for such use before the first occupation of the development; thereafter the cycle parking facilities shall be permanently retained.

Reason: To encourage the use of a sustainable and environmentally acceptable mode of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, Policy CS19: Development and Design Principles and the adopted vehicle parking standards (SPG 4).

INFORMATIVES:-

1 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

2 BUILDING REGULATIONS AND PARTY WALL ACT

This decision DOES NOT imply any consent which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

3 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

4 COUNCIL TAX BANDS AND SELF-CONTAINED UNITS

It should be noted that any development which creates self-contained accommodation in the form of an annex could have implications for the Council Tax banding for the host property. For more information on this please see the Government's website for Council Tax: <https://www.gov.uk/council-tax> , or contact Gravesham Borough Council on: council.tax@gravesham.gov.uk .

5 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

- i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.
- ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.
- iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.
- iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

Dated: 6 April 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **For further information regarding Appeals and to make an application please click the relevant link:**
<https://www.gov.uk/appeal-householder-planning-decision>
<https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.